

FILED

APR 11 2008

NANCY MAYER WHITTINGTON, CLERK  
U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

DAWN M. BAUER,

Plaintiff,

v.

HILLARY RODHAM CLINTON,

Defendant.

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Civil Action No. 08 0630

MEMORANDUM OPINION


This matter comes before the court on review of plaintiff's application to proceed *in forma pauperis* and *pro se* civil complaint. The court will grant the application, and dismiss the complaint.

Plaintiff alleges that defendant "was not only using the United States government for whatever she had or has going on but [] also used the Clinton family as a platform for an agenda that she has." Compl. at 5. In support of her allegations, she submits a "list of dead people" associated with defendant who "lost their lives by mysterious means." *Id.* Among those persons are John Kennedy, Jr., Princess Diana, and Ron Brown. *See id.*, Ex. 2. In addition, plaintiff attributes her own medical conditions and resulting unemployment to defendant's actions. *See id.* at 4-6. She demands damages totalling \$300,000.

The court must dismiss a complaint if it is frivolous, malicious, or fails to state a claim upon which relief can be granted. 28 U.S.C. § 1915A(b)(1). In *Neitzke v. Williams*, 490 U.S. 319 (1989), the Supreme Court states that the trial court has the authority to dismiss not only claims based on an indisputably meritless legal theory, but also claims whose factual contentions

are clearly baseless. Claims describing fantastic or delusional scenarios fall into the category of cases whose factual contentions are clearly baseless. *Id.* at 328. The trial court has the discretion to decide whether a complaint is frivolous, and such finding is appropriate when the facts alleged are irrational or wholly incredible. *Denton v. Hernandez*, 504 U.S. 25, 33 (1992).

The court is mindful that complaints filed by *pro se* litigants are held to less stringent standards than formal pleadings drafted by lawyers. *See Haines v. Kerner*, 404 U.S. 519, 520 (1972). Having reviewed plaintiff's complaint, the court concludes that its factual contentions are baseless and wholly incredible. For this reason, the complaint is frivolous and must be dismissed. An Order consistent with this Memorandum Opinion is issued separately.

  
United States District Judge

Date: 3/20/08